

**MINUTES OF THE MEETING OF THE  
TOWN OF SHEBOYGAN TOWN BOARD  
TUESDAY, March 19, 2019 @ 5:15 pm**

A Town of Sheboygan Town Board meeting was held on Tuesday, March 19, 2019 in open session at the Town of Sheboygan Town Hall, 1512 No. 40<sup>th</sup> Street, Sheboygan, Wisconsin 53081, Sheboygan County, Wisconsin.

The meeting was called to order by Town Chairman Dan Hein. The following were also present at the meeting: Supervisors Jim Schwinn, Char Gumm, John Wagner, Alexandra Nugent, DPW William Blashka, Cathy Conrad & Peggy Fischer.

Notice of the meeting was given to the public at least 24 hours prior to the meeting by posting in three (3) different places.

Upon motions duly made and seconded, the Town of Sheboygan Town Board unanimously adopted the attached resolutions unless noted otherwise and made a part of these minutes by reference.

There being no further business the meeting was adjourned.

**TOWN OF SHEBOYGAN TOWN BOARD**

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DANIEL W. HEIN, CHAIRMAN

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JAMES R. SCHWINN, VICE-CHAIRMAN

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CHAR GUMM, SUPERVISOR

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JOHN WAGNER, SUPERVISOR

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ALEXANDRA NUGENT, SUPERVISOR

**MOTIONS DULY MADE AND SECONDED, THE FOLLOWING RESOLUTIONS WERE ADOPTED UNANIMOUSLY BY THE TOWN OF SHEBOYGAN TOWN BOARD IN OPEN SESSION**

- 1) Chairman Hein called the meeting to order and introductions of Board members and Staff were made.
- 2) Pledge of Allegiance-The Chairman led those present in the Pledge of Allegiance.
- 3) Agenda-**Motion Wagner, second Gumm to approve the agenda for March 19, 2019 as presented. Motion carried.**
- 4) Approval of Minutes-**Motion Schwinn, second Gumm to approve the minutes of February 19, 2019 as presented. Motion carried.**
- 5) Conditional Use Permit for Independent Cleaning Solutions, 3838 Enterprise Drive-Atty. Bauer stated the Plan Commission recommends approval. **Motion Gumm, second Nugent to concur with the Plan Commission and approve the conditional use permit for Wade Elder, Independent Cleaning Solutions, 3838 Enterprise Drive, with no outside storage. Motion carried.**
- 6) Conditional Use Permit for Northfield Site Development for the corner of Enterprise Dr & Heather Valley Rd-Atty. Bauer stated the Plan Commission recommends approval for 64 unit apartment/condo development contingent on the developer entering into a development agreement, reimbursement of engineering and legal fees, and a lighting, landscaping and materials plan. Bauer stated the development will be built in stages with solar panels and with an in-ground holding tank for the stormwater. It was felt the development agreement is very important in this project. **Motion Wagner, second Schwinn to concur with the Plan Commission and approve the conditional use permit for Northfield Site Development for a 64 unit apartment/condo development for the corner of Enterprise Drive & Heather Valley Road contingent on the developer entering into a development agreement, reimbursement of engineering and legal fees, and a lighting, landscaping and materials plan. Motion carried.**
- 7) Conditional Use Permit for Moraine Properties Inc for 3821 Kohler Memorial Drive, Suite 101-Atty. Bauer stated that Plan Commission recommends approval of a conditional use permit for Moraine Properties, 3821 Kohler Memorial Drive, Suite 101 for a change of tenant to Fire Fitness LLC, at 3821 Kohler Memorial Drive, Suite 101 from Jessica's School of Dance. **Motion Gumm, second Nugent to concur with the Plan Commission and recommend approval of the conditional use permit for Moraine Properties, 3821 Memorial Drive, Suite 101 for Fire Fitness Sheboygan, LLC. Motion carried.**
- 8) Certified Survey Map for parcel located at 3700/3702 No. 35<sup>th</sup> St-Atty. Bauer stated that the Plan Commission recommends approval of the split as reviewed by the Sanitary District. **Motion Wagner, second Gumm to concur with the Plan Commission and approve the Certified Survey Map for 3700/3702 No. 35<sup>th</sup> Street as presented. Motion carried.**
- 9) Design Plan & Layout Review for Susan Steinhardt, 3913 Hwy 42-Atty. Bauer stated that Steinhardt intended to remodel the single family home and has now decided to remove the home and rebuild. **Motion Gumm, second Wagner to concur with the Plan Commission and recommend approval of the design plan and layout review for Susan Steinhardt, 3913 Hwy 42, as presented. Motion carried.**
- 10) Removal of fire trucks from Firehouse for election April 2, 2019-Biederwolf stated that they always have an issue with removal of the trucks for the election. There are benefits of leaving one or two rigs there, if everything gets moved to the highway shed they have to go to the shed and also respond to fire department, which costs valuable time. Biederwolf did not feel this was a large or primary election. Biederwolf suggested narrowing the lines to not use up so much space. Hein asked about the brat fry, when everything gets removed out and how that is handled. Biederwolf stated that he assigns a crew to each rig. The Clerk replied that the Town always has a large voter turnout and space is limited. There are three large elections next year and all the bays will have to be empty. The Clerk agreed to try having one bay being occupied during the April

2019 election provided there is no ambulance or EMS rig to prevent the exhaust and fumes from entering the building and the cold air coming in from the doors being opened.

- 11) Ordinance Enforcement Officer Report-There was no report and no one was present.
- 12) Reimbursement for cost of full time employee safety shoes-Blashka stated that **OSHA** regulations require specialized shoes be provided. The Town is now paying \$75 towards shoes. Shoes range in the price of \$100-\$200. Schwinn recommended reimbursement of no more than \$150 and if the price exceeds this amount then the employee needs to come to the Town Board and ask for an exception to the allowance. **Motion Schwinn, second Nugent to bump up the reimbursement for shoes to \$150 for specialized electrical hazard safety shoes and leave the shoe allowance at \$75 for those who do not require the specialized electrical hazard safety shoe. Motion carried.**
- 13) Delinquent Promissory Note and Personal Property of Ellen Fraser, 5019 Flagstone Rd-Atty. Bauer stated that Ms. Fraser has been served for an order to appear for a supplementary examination on March 25.
- 14) 75<sup>th</sup> Anniversary Celebration of Fire Department-Lenz is still looking for a contract for the second band. The next meeting of the committee is the 31<sup>st</sup> of March. Parade handouts of helmets is being proposed. Gumm asked how much money is being spent. Lenz explained so far the cost is at \$11,500 and beer, soda and water sales will offset some of the costs. AECOM donated \$1,000. Other donations are being sought. The Town sent out letters on behalf of the Fire Department. Gumm stated she is not in favor of spending all these funds. Backpacks, helmets, key tags, tattoos and cups are proposed. Wagner had no problem with the helmets. It was felt that cups and helmets would be sufficient. **Motion Nugent, second Wagner to authorize the Fire Department to order firefighter hats and cups for distribution along the parade route on July 20, 2019. Motion carried.**
- 15) Splash pad for Firehouse Park & Park water issues-Hein asked about DNR approval and that part has been finalized and AECOM provided the CAD drawing to DNR and Vortex. Discussion of excavating was done. Total prices were submitted for a cost of \$189,794.35 with excavating at a cost of \$9,000 and landscaping would be an additional \$9,000. Gumm went to Spielvogel for pricing and they came in at \$7,800 for the excavating. Gumm will contact Behrens about the landscaping. Gumm did not have a contract. Hein asked about financing. Both Sanitary Districts expressed an interest in lending money to the Town. Gumm asked about the other water issues that we have in the park. **Motion Gumm, second Wagner to authorize AECOM to do a topo survey and come back to the Town Board with a plan to eliminate some of the ponding of water. Motion carried.**  
**Motion Nugent, second Wagner authorize the purchase of the splashpad for Firehouse Park and ball diamond work for a cost not to exceed \$200,000 with a complete certain date or penalty. Motion carried.**
- 16) Building Permit issuance & inspection process-Atty. Bauer stated that he has worked with SAFEbuilt. **Motion Schwinn, second Wagner to approve the professional services agreement with SAFEbuilt, LLC effective 4-1-2019. Motion carried.**  
**Motion Gumm, second Wagner to terminate inspections with all existing Town inspectors effective March 31, 2019. Motion carried.**
- 17) Civic Systems Computer Software & Conversion Services Proposal-**Motion Schwinn, second Gumm to approve the CIVIC Systems Computer Software & Conversion Proposal, as presented. Motion carried.**
- 18) Town Hall HVAC Upgrades-**Motion Schwinn, second Gumm to go with HVAC of Howards Grove to do the upgrade to the AC/HVAC with completion date by 10-1-2019. Motion carried.** Atty. Bauer will review the contract for specific terms.
- 19) Celebration of the Birthday of the Town of Sheboygan-No new information came from the Historical Society.
- 20) 2020 Ryder Cup Traffic & Parking Committee-No action required.

- 21) WTA Legislative Assistance re: LRB-0977 Volunteer fire & EMS personnel-**Motion Schwinn, second Nugent to alert our local officials that we are in favor of supporting LRB-0977. Motion carried.**
- 22) WTA Synopsis of Town Topics in Governor Ever's Budget Proposal-No action required.
- 23) Appointment of Alexandra N. Nugent as pollworker through 12-31-2019-**Motion Hein, second Schwinn to appoint Alexandra Nugent as a pollworker through 12-31-2019. Ayes-Hein, Schwinn, Wagner, Gumm, Abstain-Nugent. Motion carried.**
- 24) TSFD EMS Budget questions-Hein stated that Fire Department needs to be more involved in budget issues. Schwinn put together a budget booklet for the Fire Department and EMS. The Fire Department and EMS should be meeting face-to-face with the Town Board to discuss their needs.
- 25) Prior approval for Armando Farias & Thomas Diener to attend 5 Alarm Training (\$1,430 plus mileage)-**Motion Wagner, second Gumm to approve the 5 Alarm Training of Armando Farias & Thomas Diener for a cost not to exceed \$1,430 training with the recommendation that the fire truck be used instead of incurring mileage. Motion carried.**
- 26) Prior approval for Adam Cain, Josh Lenz, Roger Benzschawel & Ed Biederwolf to attend WI Fire Chief's Convention (\$5,302 plus mileage)-Gumm asked why Adam Cain is attending when he is not a chief. Biederwolf replied that there are some training sessions for EMS. Wagner asked about the expense reports and there are miscellaneous fees which were for spouses. Also there was a question about the cost of the registration for Cain being higher than the others. Lunches are included, but not for the wives, so theirs are included. **Motion Gumm, second Wagner to approve the prior approval of Adam Cain, Josh Lenz, Roger Benzschawel & Ed Biederwolf for the WI Fire Chief's Convention at a cost not to exceed \$5,302. Motion carried.**
- 27) Sale of 3.35 acres of Town land adjacent to Willow Creek Preserve to Glacial Lakes Conservancy-The Executive Director recently acquired Willow Creek Preserve (formerly the Schuchardt Farm) and asked if the Town would consider donating the small parcel of land to their group. Finance Committee discussed that they paid the City \$3,200 per acre to acquire the remaining parcel and recommended selling the land for \$10,000. The Director stated they are non-profit and they do not have funds except for grants, etc. as they feel it is non-developable and has no access. Hein stated he doesn't see the Town doing anything with it, and suggested the Town donate the land with conservancy restrictions as the parcel is landlocked and is useless to the Town. Bauer recommended a motion to approve the donation to Glacial Lakes Conservancy, subject to conservancy easements being applied. **Motion Gumm, second Nugent to approve the donation of land to Glacial Lakes Conservancy with their legal firm preparing documents for Atty. Bauer's review. Motion carried.**
- 28) Reports-**Motion Wagner, second Schwinn to approve the reports as presented. Motion carried.**
- 29) Correspondence-No action taken.

#### Closed Session

**Motion & second to convene into Closed Session pursuant to Section 19.85 (1)(c) of the WI Statutes for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Roll call vote: Ayes-Hein, Schwinn, Gumm, Wagner, Nugent. Motion carried ...and Motion and second to convene into Closed Session pursuant to Section 19.85 (1)(e) of the WI Statutes to deliberate or negotiate the purchasing of public property, investing of public funds, or conducting other public business whenever competitive or bargaining reasons require a closed session. Roll call vote: Ayes-Hein, Schwinn, Gumm, Wagner, Nugent. Motion carried.**

#### Open Session

**Motion & second to convene in Open Session to make decisions Closed Session items. Roll call vote: Ayes-Hein, Schwinn, Gumm, Wagner, Nugent. Motion carried.**

- 30) Employee Matters-No action taken.
- 31) Resignation letter from Clerk Cathy Conrad-**Motion Schwinn, second Gumm to approve the resignation of Cathy Conrad effective May 2, 2019, with regret. Ayes-Schwinn, Gumm, Hein, Nugent. Nay-Wagner. Motion carried.**
- 32) Appointment of Peggy Fischer as Town Clerk-**Motion Gumm, second Nugent to appoint Peggy Fischer as Town Clerk effective May 3, 2019. Motion carried.**
- 33) 43/42 Partners Property located at I-43 & STH 42-No action taken. This will be put on the next agenda.
- 34) **Motion Schwinn, second Gumm to adjourn the meeting at 7:25 pm. Motion carried.**

Cathy Conrad, Town Clerk